

Patent
10/099,890REMARKS

This Amendment After Final Rejection is substantively identical to that previously filed on April 14, 2008 – with the exception of *clerical errors* now corrected with regard to Claims 6-8 (Claim 7 was previously listed as “currently amended”, but was not amended, and Claims 6 and 8 each had minor typographical errors).

The Advisory Action stated that “Claim 7 raises new issues that would require further consideration and/or search”. Applicants respectfully submit that Claim 7 was NOT amended (other than the clerical error to delete the preamble “the node of claim 1”), and that therefore the AAF filed on April 14, 2008, did NOT ‘raise new issues’. The AAF should have been entered when filed on April 14, 2008 – accordingly such entry is now requested (eliminating the need for the accompanying RCE). (The AAF, as explained below, clearly places the application in condition for allowance.)

Claims 1-3, 5-11, 13-24 and 62-65 are now pending in this application. Claims 4, 12 and 25-61 have been canceled. Claims 1, 6, 8, 16, 23-24 and 62 have been amended. Claims 1, 8, 16 and 62 are independent claims.

Applicants thank the Examiner for the indication that Claims 4, 8, 14-16, 19 and 62-64 contain allowable subject matter.

In order to place the application in condition for allowance at this time, the allowable limitations of Claim 4 have been added to independent Claim 1. In addition, Claims 8, 16 and 62 have been rewritten in independent form, and Claims 4, 12 and 25-61 have been canceled.

Claim 12 was rejected under 35 USC 112, first paragraph, as failing to comply with the enablement requirement. While Applicants believe that this claim is fully supported by the specification as filed, in order to place the application in condition for allowance, the claim has been canceled.

The previous rejection of Claim 41 under 35 USC 112, first paragraph, was withdrawn.

Patent
10/099,890

Claims 6 and 23-24 were rejected under 35 USC 112, second paragraph, for antecedent basis issues. Claims 6, 23 and 24 have been carefully reviewed and amended to address the Examiner's concerns. Reconsideration and withdrawal of the Section 112, second paragraph rejections are respectfully requested.

The previous rejection of Claims 1-24, 59-61 and 62-64 under 35 USC 112, second paragraph, as being indefinite, was withdrawn.

35 USC 103(a) rejections

Claims 1, 3, 5-7, 9, 20, 23-26, 38-40, 42-46, 48-50, 55, 59, 61 and 65 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,697,546 B2 (Ibukuro et al.) in view of US Patent Application Pub 2004/0085345A1 (Galou et al.).

Claims 1-3, 20, 24-26, 38-40, 42-45, 48-49, 59 and 61 were rejected as being unpatentable over U.S. Patent 6,084,694 (Milton et al.) in view of US Patent 6,411,412 B1 (Jiang et al.) and Galou

Dependent Claim 10 was rejected as being unpatentable over Ibukuro, Galou and US Patent 6,587,470 B1 (Elliot et al.). Dependent Claims 11-13 were rejected as being unpatentable over Ibukuro, Galou, Elliot and US Patent 6,414,765 B1 (Li et al.).

Dependent Claims 17-18 were rejected as being unpatentable over Ibukuro, Galou and US Patent 6,295,149 B1 (Meli). Dependent Claims 21-22, 27-34 and 60 were rejected as being unpatentable over Ibukuro, Galou and US Patent 6,321,255 B1 (May, Jr. et al.). Dependent Claims 35-37 and 56-57 were rejected as being unpatentable over Ibukuro, Galou and US Patent 5,995,256 (Fee). Dependent Claim 41 was rejected as being unpatentable over Ibukuro, Galou and US Patent Application Pub. 2003/0163555 A1 (Battou et al.). Dependent Claim 47 was rejected as being unpatentable over Ibukuro, Galou and US Patent 6,516,105 B1 (Khusid et al.). Dependent Claims 51-54 and 58 were rejected as being unpatentable over Ibukuro, Galou and Li.

Again, while Applicants believe that the claims as filed are patentable over the art of record, for at least the reasons previously presented, in order to place the application in condition for allowance, the claims have been canceled and/or amended in the manner detailed above, in order to clearly place the application in condition.

Patent
10/099,890

Accordingly, each of the rejections is respectfully traversed and reconsideration is requested.

Since the Applicants have fully responded to the rejections set out in the Office Action, it is respectfully submitted that in regard to the above remarks that the pending application is in condition for allowance and prompt review and issuance is accordingly requested.

Should the Examiner be of the view that an interview would expedite consideration of this Amendment or of the application at large, request is made that the Examiner telephone the Applicants' undersigned attorney at (908) 518-7700 in order that any outstanding issues be resolved.

Respectfully submitted,

10/29/08

Date



Karin L. Williams Registration No. 36,721

Please Continue To Send All Correspondence to:

Mayer & Williams PC
251 North Avenue West; 2nd Floor
Westfield, NJ 07090

Telephone #: 908-518-7700
Fax #: 908-518-7795